

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Sharonda M. Rice, C.H.H.A. :
Certificate No. 26NH15060400 :

HOMEMAKER HOME HEALTH AIDE :
IN THE STATE OF NEW JERSEY :

ADMINISTRATIVE ACTION

✓ FINAL ORDER OF
DISCIPLINE 2016

N.J. BOARD OF NURSING

May 2, 2016 5/2/16
FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Sharonda M. Rice ("Respondent") is a certified homemaker-home health aide in the State of New Jersey holding certificate number 26NH1560400 and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on August 8, 2014 by the Neptune Township Police for violation of N.J.S.A. 2C:35-10A, Possess Controlled Dangerous Substance or Analog (two counts), and N.J.S.A. 2C:36-2, Possession of Drug Paraphernalia, the Board

sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Neptune, New Jersey, via regular and certified mail on or about September 5, 2014. A response was due within twenty (20) days. The regular mailing was not returned; the certified mailing was returned as unclaimed.

3. Respondent did not reply to the Board's letter of inquiry.

CONCLUSIONS OF LAW

Respondent's failure to provide requested documentation upon the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension and a two hundred dollar (\$200) civil penalty was entered on April 16, 2015. Copy were served on Respondent via regular and certified mail to her last known address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th

business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order by providing a partial response to the Board's letter of inquiry which had issued in September 2014. Respondent provided a narrative of the conduct which led to her arrest, the name of her employer, and the municipal court complaint with the Judge's signature and a notation that the charges were dismissed pursuant to a plea agreement. However, Respondent failed to provide the plea agreement, police report with all supporting statements, and information about her CHHA employment (job title, dates of employment, shift, type of unit worked, and most recent performance evaluation).

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as

Respondent did not dispute the findings of fact or conclusions of law. Moreover, Respondent has still failed to provide all the information requested and the Board determined that her certificate should be suspended until she fully cooperates with the Board's investigation. Additionally, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a two hundred dollar (\$200) civil penalty.

ACCORDINGLY, IT IS on this 2nd day of May, 2016,

ORDERED that:

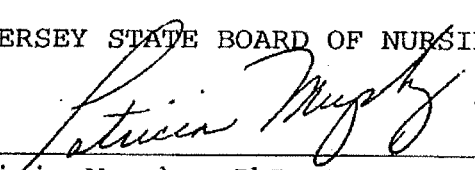
1. Respondent's certificate to practice as a homemaker-home health aide is hereby suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry. Respondent shall refrain from engaging in practice as a homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

2. Respondent is assessed a civil penalty in the amount of two hundred dollars (\$200). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Twalema Khonje, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
President